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THIRD COMMITTEE
Agenda item 100 (c)

HUMAN RIGHTS QUESTIONS: HUMAN RIGHTS SITUATIONS AND REPORTS OF SPECIAL RAPPORTEURS AND REPRESENTATIVES

Australia, Austria, Cambodia, Canada, France, Netherlands,
Sweden and United States of America: draft resolution

Situation of human rights in Cambodia

The General Assembly,

Guided by the purposes and principles embodied in the Charter of the United Nations, the Universal Declaration of Human Rights 1/ and the International Covenants on Human Rights, 2/

Taking note of the Agreement on a Comprehensive Political Settlement of the Cambodia Conflict, 3/ signed in Paris on 23 October 1991, including Part III thereof, relating to human rights,

Recalling Commission on Human Rights resolution 1994/61 of 4 March 1994 4/ and General Assembly resolution 48/154 of 20 December 1993, and previous relevant resolutions, including Commission on Human Rights resolution

1/ Resolution 217 A (III).

2/ Resolution 2200 A (XXI), annex.

3/ See A/46/608-S/23177; see Official Records of the Security Council, Forty-sixth Year, Supplement for October, November and December 1991, document S/23177.

4/ See Official Records of the Economic and Social Council, 1994, Supplement No. 4 (E/1994/24), chap. II, sect. A.



1993/6 of 19 February 1993, 5/ which recommended the appointment of a Special Representative in Cambodia and the subsequent appointment by the Secretary-General of a Special Representative,

Bearing in mind the role and responsibilities of the United Nations and the international community in the process of the rehabilitation and reconstruction of Cambodia,

Recognizing that the tragic recent history of Cambodia requires special measures to assure the promotion and protection of the human rights of all people in Cambodia and the non-return to the policies and practices of the past, as stipulated in the Agreement signed in Paris on 23 October 1991, 3/

Welcoming the establishment in Cambodia of the Office of the Centre for Human Rights,

1. Requests the Secretary-General to assure the Protection of the Human Rights of all people in Cambodia and to ensure adequate resources, from within existing United Nations resources, for the enhanced functioning of the operational presence in Cambodia of the Centre for Human Rights;

2. Welcomes the report of the Secretary-General to the General Assembly on the role of the Centre for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights; 6/

3. Also welcomes the visit to Cambodia of the United Nations High Commissioner for Human Rights;

4. Welcomes and encourages the efforts of individuals, non-governmental organizations, Governments and international organizations involved in human rights activities in Cambodia;

5. Takes note with appreciation of the report submitted by the Special Representative of the Secretary-General on the situation of human rights in Cambodia 7/ and endorses his recommendations and conclusions, including those aimed at:

(a) Ensuring the independence of the judiciary and the establishment of the rule of law;

(b) The promotion and protection of civil rights;

(c) The promotion of multi-cultural tolerance and acceptance of ethnic diversity within Cambodia;

5/ Ibid., 1993, Supplement No. 3 (E/1993/23, chap. II, sect. A.

6/ A/49/635/Add.1.

7/ A/49/635.

6. Requests the Special Representative, in collaboration with the Office in Cambodia of the Centre for Human Rights, to undertake an evaluation of the extent to which the recommendations made by the Special Representative in his report, 7/ and those contained in his first report, 8/ are followed up and implemented;
7. Requests the Secretary-General to provide all necessary resources, from within existing resources, to enable the Special Representative to continue to fulfil his tasks expeditiously;
8. Welcomes the efforts made by the Government of Cambodia to promote and protect human rights, including measures in the fields of education concerning human rights and legal education;
9. Also welcomes the improvements in conditions of prisons and in creating a functioning system of justice, and urges that efforts continue in these areas;
10. Expresses grave concern about the serious violations of human rights as detailed by the Special Representative in his report and encourages the Government of Cambodia to investigate thoroughly allegations of human rights abuse and to prosecute those who are guilty of human rights offences in accord with the due process of the law;
11. Also expresses grave concern about the outrages committed by the outlawed Khmer Rouge, including the massacre of approximately fifty villagers in Battambang Province in October 1994, the numerous recent incidents of kidnapping of villagers, the taking and killing of foreign hostages and other deplorable incidents detailed in the report of the Special Representative;
12. Condemns unreservedly all threats by the outlawed Khmer Rouge to the safety of persons involved in development assistance activities in rural Cambodia;
13. Expresses grave concern at the indiscriminate use of anti-personnel land-mines in Cambodia and the devastating consequences and destabilizing effects such mines have on Cambodian society, and encourages the Government of Cambodia to continue its support for the removal of these mines;
14. Calls upon the Government of Cambodia to ensure the full observance of human rights for all persons within its jurisdiction in accordance with the International Covenants and other human rights instruments to which Cambodia is a party;
15. Requests the Government of Cambodia to meet punctually its reporting obligations under international treaties, drawing on the assistance, where appropriate, of the office in Cambodia of the Centre for Human Rights;

16. Encourages the Government of Cambodia to enact a press law which is consistent with international standards and which promotes press responsibility while protecting freedom of expression;
17. Requests the Centre for Human Rights to assist, with the consent and cooperation of the Government of Cambodia, in providing advice and technical assistance with respect to the creation of an independent national institution for the protection and promotion of human rights, such as an ombudsman or a human rights commission;
18. Commends the ongoing efforts of the office in Cambodia of the Centre for Human Rights in supporting and assisting the Government of Cambodia, as well as in supporting non-governmental organizations and others involved in the protection and promotion of human rights in cooperating with the Government of Cambodia, and condemns unreservedly attacks on them;
19. Requests the Secretary-General to continue to use the Trust Fund for a Human Rights Education Programme in Cambodia to finance the programme of activities for the office in Cambodia of the Centre for Human Rights as defined in resolutions of the General Assembly and the Commission on Human Rights;
20. Requests the Centre for Human Rights, in cooperation with the relevant specialized agencies and development programmes, to develop and implement programmes, with the consent and cooperation of the Government of Cambodia, in the priority areas identified by the Special Representative, paying particular attention to women and vulnerable groups, including children and refugees;
21. Requests the Secretary-General to report to the General Assembly at its fiftieth session on the role of the Centre for Human Rights in assisting the Government and people of Cambodia in the promotion and protection of human rights and on the recommendations made by the Special Representative on matters within his mandate;
22. Decides to continue its consideration of the situation of human rights in Cambodia at its fiftieth session.
